IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 1157 of 2007

R.S.R.T.C.,JAIPUR & ANR.
V/S
ADDL DIST.& SESSIONS JUDGE,ABUROAD & ANR

Mr. PK LOHRA, for the appellant / petitioner

Mr. SURENDRA SURANA, for the respondent

Date of Order : 1.8.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the parties.

It is informed by the respondent, and is noticed in para-3 of the impugned judgment by the learned lower Appellate Court that in the year 1999 itself, the plaintiff had filed a suit against the Municipality who had given notice to the plaintiff to remove the cabin, and in that suit temporary injunction directing maintenance of status quo is already subsisting against the Municipality. In this background it is significant to note that the petitioner has purchased the land on 25.7.2006 i.e. during pendency of that suit, and during subsistence of that injunction. That being the position, I do not find any error in the impugned order requiring any interference in my writ jurisdiction.

The writ petition is, therefore, dismissed summarily.

(N P GUPTA),J.

/Sushil/